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STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF MORTGAGE LENDING

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In re:

Trinity Lending, LLC,
Respondent.

**NOTICE OF INTENT TO IMPOSE
FINE AND NOTICE OF RIGHT TO
REQUEST HEARING**

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The licensing and regulation of mortgage brokers, mortgage bankers and escrow agencies in the State of Nevada is governed by Chapter 645B, Chapter 645E and Chapter 645A, respectively, of the Nevada Revised Statutes ("NRS"), and Chapter 645B, Chapter 645E and Chapter 645A, respectively, of the Nevada Administrative Code ("NAC"). The State of Nevada, Department of Business and Industry, Division of Mortgage Lending (the "Division") has the general duty to exercise supervision and control over mortgage brokers, mortgage bankers and escrow agencies pursuant to these chapters. Pursuant to that authority, the Division makes the following Factual Allegations, Violations of Law, and Order, as follows:

FACTUAL ALLEGATIONS

1. Trinity Lending, LLC ("Respondent") is an LLC.
2. On February 27, 2007, Respondent was issued a:
XX mortgage broker license pursuant to Chapter 645B of NRS;
mortgage banker license pursuant to Chapter 645E of NRS; or
escrow agency license pursuant to Chapter 645A of NRS.
3. At all relevant times herein mentioned, Respondent was operating within the State of Nevada pursuant to the terms of its license.
4. On April 13, 2009, the Division received a written complaint ("Complaint") from the

1 Arizona Golden Retriever Connection "Complainant", alleging, among other things, that
2 Respondent had wired Respondent \$100,000.00 for a first trust deed investment and
3 Respondent did not return the money to the Complainant when the loan did not fund and the
4 investment was cancelled.

6 5. Pursuant to the Nevada Revised Statutes, the Division is charged with, among
7 other things, conducting such investigations as may be necessary to determine whether any
8 person has violated any provision of the above checked chapter of the Nevada Revised
9 Statutes or the regulations promulgated thereto. See, NRS 645B.060(2)(c); NRS
10 645E.300(2)(c) or NRS 645A.050(2)(c), as applicable.
11

12 6. After receiving the above-described Complaint regarding Respondent, the Division
13 commenced its investigation of the allegations in question, provided a copy of the Complaint
14 to Respondent and requested that Respondent respond, in writing, to the Complaint by April
15 29, 2009 and again on May 27, 2009. Respondent requested an extension to the May 27,
16 2009 deadline and was granted an extension until June 5, 2009.

17 7. The Respondent has failed to timely respond to the Complaint.
18

19 8. Pursuant to NRS 645B.670(1)(c) and (2)(i) and NRS 645E.670(1)(c) and (2)(i), for
20 each violation committed by a mortgage broker or mortgage banker, the Commissioner may
21 impose upon the mortgage broker or mortgage banker an administrative fine of not more than
22 \$10,000, may suspend, revoke or place conditions upon his license, or may do both, if the
23 mortgage broker or mortgage banker has refused or failed, within a reasonable time, to
24 furnish any information or make any report that may be required by the Commissioner
25 pursuant to the provisions of the respective NRS chapter or a regulation adopted pursuant to
26 such chapter.
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28 9. Pursuant to NRS 645A.090(1)(b) and (1)(i), for each violation committed by an
escrow agency, the Commissioner may impose upon the escrow agency an administrative

1 fine of not more than \$500, may suspend or revoke his license, if the escrow agency has
2 refused or failed, within a reasonable time, to furnish any information or make any report that
3 may be required by the Commissioner pursuant to the provisions of Chapter 645A or a
4 regulation adopted pursuant thereto.

6 **VIOLATIONS OF LAW**

7 Respondent has failed to respond to the Complaint within a reasonable time, in
8 violation of NRS 645B.670, NRS 645E.670 or NRS 645A.090, as applicable.
9

10 **ORDER**

11 **NOW, THEREFORE, IT IS HEREBY ORDERED** that, pursuant to NRS 233B.121 and
12 NRS 645B.750(2), NRS 645E.750(2) or NRS 645A.100(2), as applicable, upon the timely filing
13 of an application with the Division within **twenty (20) days** of the date of this Order, Respondent
14 shall be entitled to a hearing with regard to the contents of this Order. At that hearing, the
15 Division will seek:

16 a. The imposition of an administrative fine against Respondent if acting as either a
17 mortgage broker or a mortgage banker in the amount of Two Thousand Five Hundred Dollars
18 and No Cents (\$2,500.00) for Respondent's violations of NRS Chapter 645B or 645E, as
19 applicable, as well as the Division's administrative costs and attorney's fees, if any, incurred
20 herein, each to be proven at the hearing; or

22 b. The imposition of an administrative fine against Respondent if acting as an
23 escrow agency in the amount of Five Hundred Dollars and No Cents (\$500.00) for
24 Respondent's violations of NRS Chapter 645A, as well as the Division's administrative costs
25 and attorney's fees, if any, incurred herein, each to be proven at the hearing; and

26 c. Respondent's payment, in full, of the administrative fine, costs and fees to the
27 Division within **thirty (30) days** of entry of the Final Order.
28

Should Respondent request a hearing, Respondent is advised of the following:

1 a) Respondent is entitled to be represented by legal counsel at its own cost and expense; b) At
2 any hearing Respondent shall be entitled to respond and to present evidence and argument on
3 all issues involved; c) Requests may be made to the Commissioner for the issuance of
4 subpoenas, however, the Commissioner may request the proposed testimony of any such
5 person prior to the issuance of the subpoena; and d) Unless precluded by law, the parties may
6 agree to an informal resolution or settlement prior to any hearing.
7

8 Should Respondent not request a hearing within **twenty (20) days** of the date of this
9 Order, the Division will enter a Final Order in this matter against Respondent, as otherwise
10 required by law.
11

12 Dated this 28th day of July, 2009.

13 **STATE OF NEVADA**
14 **DEPARTMENT OF BUSINESS AND INDUSTRY**
15 **DIVISION OF MORTGAGE LENDING**

16 By: _____

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18 JOSEPH L. WALTUCH, COMMISSIONER
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CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Department of Business and Industry, Division of Mortgage Lending, and that on July 30, 2009, I deposited in the U.S. mail, postage prepaid via First Class Mail and Certified Return Receipt Requested, a true and correct copy of the foregoing, NOTICE OF INTENT TO IMPOSE FINE AND NOTICE OF RIGHT TO REQUEST HEARING for TRINITY LENDING, LLC, addressed as follows:

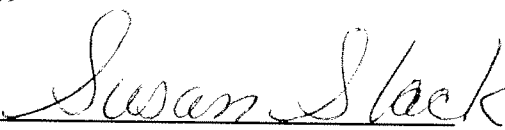
Jamison Albrecht
1415 Falling Snow Avenue
Las Vegas, NV 89193

Certified Receipt Number: 7006 2760 0000 0876 4692

Jamison R. Albrecht
c/o Towne Center Escrow LLC
5210 W. Patrick Lane, Suite 100
Las Vegas, NV 89118

Certified Receipt Number: 7006 2760 0000 0876 4685

DATED this 29th day of July, 2009

By: 
Employee of the Division